

In re Application of
David Sidransky
U.S. Serial No.: 09/420,433
Filed: October 12, 1999
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PATENT
Attorney Docket No.: JHU1180-1

I. AMENDMENTS

Please cancel claims 5 and 6 without prejudice.

Please amend claims 1, 2, 12, 18 to 21, and 25 to read as follows:

D1
1. (Thrice amended) A method for detecting the presence of a mammalian mutant target nucleic acid which contributes to the etiology of a neoplasm, in a tumor margin tissue specimen, wherein the specimen is external to a primary neoplasm and the specimen does not exhibit morphological characteristics indicative of neoplastic pathology, and the mutant target nucleic acid is present in the primary neoplasm and the specimen, the method comprising extracting nucleic acid present in the specimen and detecting the presence of the mutant target nucleic acid, wherein the mutant target nucleic acid is selected from APC, DCC, NF1, NF2, RET, VHL, and WT-1.

2. (Thrice amended) The method of claim 1, further comprising, prior to detecting the presence of the mutant target nucleic acid, amplifying the nucleic acid present in the specimen to produce an amplified nucleic acid, wherein said detecting comprises detecting the presence of the mutant target nucleic acid in the amplified nucleic acid.

D2
12. (Thrice amended) A method for detecting metastases in a subject having an excised tumor, the method comprising:

- a) isolating tissue from a surgical margin adjacent to the excised tumor;
- b) applying to said tissue an oligonucleotide that specifically hybridizes to a neoplastic nucleic acid having a mutant nucleotide sequence, wherein the neoplastic nucleic acid is selected from APC, DCC, NF1, NF2, RET, VHL, and WT-1; and
- c) detecting the presence of said neoplastic nucleic acid, wherein the presence of said neoplastic nucleic acid indicates metastases.

D3
18. (Amended) A method for detecting a mammalian target neoplastic nucleic acid having a mutant nucleotide sequence in a tissue specimen which is external to a primary neoplasm, comprising extracting nucleic acid present in the specimen to obtain extracted nucleic acid, and detecting the presence of the target neoplastic nucleic acid in the extracted nucleic acid, wherein the target neoplastic nucleic acid is selected from APC, DCC, NF1, NF2, RET, VHL, and WT-1.

19. (Amended) A method for detecting a mammalian target neoplastic nucleic acid having a mutant nucleotide sequence in a tumor margin tissue specimen which is external to a primary neoplasm, comprising extracting nucleic acid present in the specimen to obtain extracted nucleic acid, and detecting the presence of the target neoplastic nucleic acid in the extracted nucleic acid, wherein the target neoplastic nucleic acid is selected from APC, DCC, NF1, NF2, RET, VHL, and WT-1.

20. (Amended) A method for detecting the presence of a mammalian mutant target nucleic acid which contributes to the etiology of a neoplasm, in a lymph node tissue specimen, wherein the specimen is external to a primary neoplasm and the specimen does not exhibit morphological characteristics indicative of neoplastic pathology, and the mutant target nucleic acid is present in the primary neoplasm and the specimen, the method comprising extracting nucleic acid present in the specimen and detecting the presence of the mutant target nucleic acid, wherein the mutant target nucleic acid is selected from APC, DCC, NF1, NF2, RET, VHL, and WT-1.

21. (Amended) The method of claim 20, further comprising, prior to detecting the presence of the mutant target nucleic acid, amplifying the nucleic acid present in the specimen to produce an amplified nucleic acid, wherein said detecting comprises detecting the presence of the mutant target nucleic acid in the amplified nucleic acid.

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25. (Amended) A method for detecting metastases in a subject having an excised tumor,
the method comprising:

- a) isolating tissue from a lymph node, which is external to a primary neoplasm and does not exhibit morphological characteristics indicative of neoplastic pathology;
- b) applying to said tissue an oligonucleotide that specifically hybridizes to a neoplastic nucleic acid having a mutant nucleotide sequence, wherein the neoplastic nucleic acid is selected from APC, DCC, NF1, NF2, RET, VHL, and WT-1; and
- c) detecting the presence of said neoplastic nucleic acid, wherein the presence of said neoplastic nucleic acid indicates metastases.